

BEFORE THE
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

RAYMOND BRUCE THINGGAARD
36357 Bettencourt Street
Newark, CA 94560
Land Surveyor License No. L 3820

Respondent.

Case No. 873-A

OAH No. 2010031119

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board for Professional Engineers and Land Surveyors, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on October 13, 2010.

It is so ORDERED August 11, 2010

original signed

FOR THE BOARD FOR PROFESSIONAL ENGINEERS AND
LAND SURVEYORS
DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUSTIN R. SURBER
Deputy Attorney General
4 State Bar No. 226937
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Attorneys for Complainant

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BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 873-A

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12 **36357 Bettencourt Street**
13 **Newark, CA 94560**
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OAH No. 2010031119

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Respondent.
15
16

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. David E. Brown (Complainant) is the Executive Officer of the Board for Professional
21 Engineers and Land Surveyors. He brought this action solely in his official capacity and is
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
23 by Justin R. Surber, Deputy Attorney General.

24 2. Raymond Bruce Thinggaard (Respondent) is representing himself in this proceeding
25 and has chosen not to exercise his right to be represented by counsel.

26 3. On or about December 29, 1970, the Board for Professional Engineers and Land
27 Surveyors issued Land Surveyor License No. L 3820 to Raymond Bruce Thinggaard
28

1 (Respondent). The was in full force and effect at all times relevant to the charges brought in
2 Accusation No. 873-A and will expire on June 30, 2012, unless renewed.

3 JURISDICTION

4 4. Accusation No. 873-A was filed before the Board for Professional Engineers and
5 Land Surveyors (Board) Department of Consumer Affairs, and is currently pending against
6 Respondent. The Accusation and all other statutorily required documents were properly served
7 on Respondent on October 2, 2009. Respondent timely filed his Notice of Defense contesting the
8 Accusation. A copy of Accusation No. 873-A is attached as exhibit A and incorporated herein by
9 reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, and understands the charges and allegations in
12 Accusation No. 873-A. Respondent also has carefully read, and understands the effects of this
13 Stipulated Surrender of License and Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
16 his own expense; the right to confront and cross-examine the witnesses against him; the right to
17 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
18 the attendance of witnesses and the production of documents; the right to reconsideration and
19 court review of an adverse decision; and all other rights accorded by the California
20 Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in Accusation
25 No. 873-A, agrees that cause exists for discipline and hereby surrenders his Land Surveyor
26 License No. L 3820 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation he enables the Board to issue
28 an order accepting the surrender of his Land Surveyor License without further process.

14. The surrender of Respondent's Land Surveyor License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

15. Respondent shall lose all rights and privileges as a Land Surveyor in California as of the effective date of the Board's Decision and Order.

16. Respondent shall cause to be delivered to the Board both his wall license certificate and, if one was issued, pocket license on or before the effective date of the Decision and Order.

17. Respondent agrees not to petition for reinstatement of the surrendered license. Respondent agrees not to apply for any license issued by the Board for three years from the effective date of this surrender. Respondent understands and agrees that if he ever applies for any license issued by the Board, the Board shall treat it as a new application for licensure.

Respondent must comply with all the laws, regulations, and procedures for licensure in effect at the time the application is filed, including but not limited to submitting a completed application and the requisite fee and taking and passing the required examination(s), and all of the charges and allegations contained in the Accusation shall be deemed to be true, correct, and admitted by Respondent when the licensing agency determines whether to grant or deny the application.

18. This order shall not become effective until October 13, 2010, or a later date decided by the Board.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Land Surveyor License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board for Professional Engineers and Land Surveyors.

DATED: July 15, 2010

Original Signed
RAYMOND BRUCE THINGGAARD
Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
for consideration by the Board for Professional Engineers and Land Surveyors of the Department
of Consumer Affairs.

Dated: July ²⁷~~14~~, 2010

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General

Original Signed

JUSTIN R. SURBER
Deputy Attorney General
Attorneys for Complainant

SF2009404477
Stipulation.rtf

Exhibit A

Accusation No. 873-A

1 EDMUND G. BROWN JR.
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2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUSTIN R. SURBER
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8 **BEFORE THE**
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 873-A

11 **RAYMOND BRUCE THINGGAARD**
12 36357 Bettencourt Street
13 Newark, CA 94560

A C C U S A T I O N

14 **Land Surveyor License No. L 3820**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. David Brown (Complainant) brings this Accusation solely in his official capacity as
20 the Executive Officer of the Board for Professional Engineers and Land Surveyors, Department
21 of Consumer Affairs.

22 2. On or about December 29, 1970, the Board for Professional Engineers and Land
23 Surveyors issued Land Surveyor License Number L 3820 to Raymond Bruce Thinggaard
24 (Respondent). The Land Surveyor License was in full force and effect at all times relevant to the
25 charges brought herein and will expire on June 30, 2010, unless renewed.

26 ///

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28 ///

JURISDICTION

3. This Accusation is brought before the Board for Professional Engineers and Land Surveyors (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 8780 of the Code states:

“The board may receive and investigate complaints against licensed land surveyors and registered civil engineers, and make findings thereon.

“By a majority vote, the board may reprove, suspend for a period not to exceed two years, or revoke the license or certificate of any licensed land surveyor or registered civil engineer, respectively, licensed under this chapter or registered under the provisions of Chapter 7 (commencing with Section 6700), whom it finds to be guilty of:

...”

“(b) Any negligence or incompetence in his or her practice of land surveying.

...”

“(d) Any violation of any provision of this chapter or of any other law relating to or involving the practice of land surveying.

...”

“(g) A breach or violation of a contract to provide land surveying services.

...”

5. Section 8759 of the Code states:

“(a) A licensed land surveyor or registered civil engineer authorized to practice land surveying shall use a written contract when contracting to provide professional services to a client pursuant to this chapter. The written contract shall be executed by the licensed land surveyor or registered civil engineer and the client, or his or her representative, prior to the licensed land surveyor or registered civil engineer commencing work, unless the client knowingly states in writing that work may be commenced before the contract is executed. The written contract shall include, but not be limited to, all of the following:

...

1 “(5) A description of the procedure to be used by any party to terminate the contract.

2 . . .”

3 6. Section 8762 of the Code states:

4 “(b) Notwithstanding subdivision (a), after making a field survey in conformity with the
5 practice of land surveying, the licensed land surveyor or licensed civil engineer shall file with the
6 county surveyor in the county in which the field survey was made a record of the survey relating
7 to land boundaries or property lines, if the field survey discloses any of the following:

8 “(1) Material evidence or physical change, which in whole or in part does not appear on any
9 subdivision map, official map, or record of survey previously recorded or properly filed in the
10 office of the county recorder or county surveying department, or map or survey record maintained
11 by the Bureau of Land Management of the United States.

12 “(2) A material discrepancy with the information contained in any subdivision map, official
13 map, or record of survey previously recorded or filed in the office of the county recorder or the
14 county surveying department, or any map or survey record maintained by the Bureau of Land
15 Management of the United States. For purposes of this subdivision, a “material discrepancy” is
16 limited to a material discrepancy in the position of points or lines, or in dimensions.

17 “(3) Evidence that, by reasonable analysis, might result in materially alternate positions of
18 lines or points, shown on any subdivision map, official map, or record of survey previously
19 recorded or filed in the office of the county recorder or the county surveying department, or any
20 map or survey record maintained by the Bureau of Land Management of the United States.

21 “(4) The establishment of one or more points or lines not shown on any subdivision map,
22 official map, or record of survey, the positions of which are not ascertainable from an inspection
23 of the subdivision map, official map, or record of survey.

24 “(5) The points or lines set during the performance of a field survey of any parcel described
25 in any deed or other instrument of title recorded in the county recorder's office are not shown on
26 any subdivision map, official map, or record of survey.

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1 “(c) The record of survey required to be filed pursuant to this section shall be filed within
2 90 days after the setting of boundary monuments during the performance of a field survey or
3 within 90 days after completion of a field survey, whichever occurs first.

4 “(d)(1) If the 90-day time limit contained in subdivision (c) cannot be complied with for
5 reasons beyond the control of the licensed land surveyor or licensed civil engineer, the 90-day
6 time period shall be extended until the time at which the reasons for delay are eliminated. If the
7 licensed land surveyor or licensed civil engineer cannot comply with the 90-day time limit, he or
8 she shall, prior to the expiration of the 90-day time limit, provide the county surveyor with a letter
9 stating that he or she is unable to comply. The letter shall provide an estimate of the date for
10 completion of the record of survey, the reasons for the delay, and a general statement as to the
11 location of the survey, including the assessor's parcel number or numbers.

12 “(2) The licensed land surveyor or licensed civil engineer shall not initially be required to
13 provide specific details of the survey. However, if other surveys at the same location are
14 performed by others which may affect or be affected by the survey, the licensed land surveyor or
15 licensed civil engineer shall then provide information requested by the county surveyor without
16 unreasonable delay.

17 “(e) Any record of survey filed with the county surveyor shall, after being examined by him
18 or her, be filed with the county recorder.

19 “(f) If the preparer of the record of survey provides a postage-paid, self-addressed envelope
20 or postcard with the filing of the record of survey, the county recorder shall return the postage-
21 paid, self-addressed envelope or postcard to the preparer of the record of survey with the filing
22 data within 10 days of final filing. For the purposes of this subdivision, “filing data” includes the
23 date, the book or volume, and the page at which the record of survey is filed with the county
24 recorder.”

25 7. Section 8767 of the Code states:

26 “‘If the county surveyor finds that the record of survey complies with the examination in
27 Section 8766, the county surveyor shall endorse a statement on it of his or her examination, and
28 shall present it to the county recorder for filing. Otherwise the county surveyor shall return it to

1 the person who presented it, together with a written statement of the changes necessary to make it
2 conform to the requirements of Section 8766. The licensed land surveyor or registered civil
3 engineer submitting the record of survey may then make the agreed changes and note those
4 matters which cannot be agreed upon in accordance with the provisions of Section 8768 and shall
5 resubmit the record of survey within 60 days, or within the time as may be mutually agreed upon
6 by the licensed surveyor or registered engineer and the county surveyor, to the county surveyor
7 for filing pursuant to Section 8768.”

8 8. Section 8773.2 of the Code states:

9 “(a) A “corner record” submitted to the county surveyor or engineer shall be examined by
10 him or her for compliance with subdivision (d) of Section 8765 and Sections 8773, 8773.1, and
11 8773.4, endorsed with a statement of his or her examination, and filed with the county surveyor or
12 returned to the submitting party within 20 working days after receipt.

13 “(b) In the event the submitted “corner record” fails to comply with the examination criteria
14 of subdivision (a), the county surveyor or engineer shall return it to the person who submitted it
15 together with a written statement of the changes necessary to make it conform to the requirements
16 of subdivision (a). The licensed land surveyor or licensed civil engineer submitting the corner
17 record may then make the agreed changes in compliance with subdivision (a) and note those
18 matters that cannot be agreed upon in accordance with the provisions of subdivision (c), and shall
19 resubmit the corner record within 60 days, or within the time as may be mutually agreed upon by
20 the licensed land surveyor or licensed civil engineer and the county surveyor, to the county
21 surveyor for filing pursuant to subdivision (c) . The county surveyor or engineer shall file the
22 corner record within 10 working days after receipt of the resubmission.

23 “(c) If the matters appearing on the corner record cannot be agreed upon by the licensed
24 land surveyor or the licensed civil engineer and the county surveyor within 10 working days after
25 the licensed land surveyor or licensed civil engineer resubmits and requests the corner record be
26 filed without further change, an explanation of the differences shall be noted on the corner record
27 and it shall be submitted to and filed by the county surveyor. The licensed land surveyor or
28 licensed civil engineer filing the corner record shall attempt to reach agreement with the county

1 surveyor regarding the language for the explanation of the differences. If they cannot agree on the
2 language explaining the differences, then both shall add a notation on the corner record
3 explaining the differences. The explanation of the differences shall be sufficiently specific to
4 identify the factual basis for the differences.

5 “(d) The corner record filed with the county surveyor of any county shall be securely
6 fastened by him or her into a suitable book provided for that purpose.

7 “(e) A charge for examining, indexing, and filing the corner record may be collected by the
8 county surveyor, not to exceed the amount required for the recording of a deed.

9 “(f) If the preparer of the corner record provides a postage-paid, self-addressed envelope or
10 postcard with the filing of the corner record, the county surveyor shall return the postage-paid,
11 self-addressed envelope or postcard to the preparer of the corner record with the filing data within
12 20 days of final filing. For the purposes of this subdivision, “filing data” includes the date, book
13 or volume, and the page at which the corner record is filed by the county surveyor. This
14 subdivision shall not apply to a county surveyor's office that maintains an electronic database of
15 filed corner records that is accessible to the public by reference to the preparer's license number.”

16 9. California Code of Regulation title 16, section 476 states:

17 “To protect and safeguard the health, safety, welfare, and property of the public, every
18 person who is licensed by the Board as a professional land surveyor or professional civil engineer
19 legally authorized to practice land surveying, including licensees employed in any manner by a
20 governmental entity or in private practice, shall comply with this Code of Professional Conduct.
21 A violation of this Code of Professional Conduct in the practice of professional land surveying
22 constitutes unprofessional conduct and is grounds for disciplinary action pursuant to Section 8780
23 of the Code. This Code of Professional Conduct shall be used for the sole purpose of investigating
24 complaints and making findings thereon under Section 8780 of the Code.

25 “(a) Compliance with Laws Applicable to a Project:

26 A licensee shall provide professional services for a project in a manner that is consistent
27 with the laws, codes, ordinances, rules, and regulations applicable to that project. A licensee may
28 obtain and rely upon the advice of other professionals (e.g., architects, attorneys, professional

1 engineers, professional land surveyors, and other qualified persons) as to the intent and meaning
2 of such laws, codes, and regulations.”

3 ...”

4 COSTS

5 10. Section 125.3 of the Code provides, in pertinent part, that the board may request the
6 administrative law judge to direct a licensee found to have committed a violation or violations of
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case.

9 Pacifica Project

10 11. Respondent contracted with Ron Carlson to survey two parcels of land around
11 Danmann Ave., Pacifica California. Respondent conducted a field survey, resolved boundaries,
12 set property monuments, and prepared a Record of Survey. A Record Survey was required to be
13 filed pursuant to Section 8762(b) of the code.

14 12. In or about April 2000, Respondent completed the field survey for the property. In
15 or about January 2001, Respondent submitted the Record of Survey for checking to the San
16 Mateo County Department of Public Works. On or about January 10, 2001 the survey was
17 returned to Respondent with requests for modification and clarification. Respondent resubmitted
18 the survey on February 9, 2001. On February 15, 2001, the survey was again returned to
19 respondent with several recommended revisions and clarification. As of October 2007,
20 respondent had failed to file a revised Record of Survey.

21 FIRST CAUSE FOR DISCIPLINE

22 (Violation of Professional Land Surveyor Act)

23 13. Respondent is subject to disciplinary action under sections 8780(d) and 8762(c) of the
24 Code in that Respondent failed to file the Record of Survey within 90 days of completing the field
25 survey. Respondent completed the field survey in April 2000 yet failed to file the Record of
26 Survey until January 2001.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Violation of Professional Land Surveyor Act)

3 14. Respondent is subject to disciplinary action under section sections 8780(d) and 8767
4 of the Code in that Respondent failed to resubmit the Record of Survey within 60 days of the
5 requested revisions by the San Mateo County Department of Public Works. On February 15,
6 2001, the Record of Survey was returned to respondent with several recommended revisions and
7 clarifications. As of October 2007, respondent had failed to file a revised Record of Survey.

8 THIRD CAUSE FOR DISCIPLINE

9 (Violation of Professional Land Surveyor Act)

10 15. Respondent is subject to disciplinary action under section 8780(d) of the Code and
11 California Code of Regulations Title 16, section 476(a) in that Respondent failed to comply with
12 the applicable laws regarding the filing of the Record of Survey. Specifically Respondent
13 violated sections 8767 and 8762(c) of the Code as described in paragraphs 12-14, above.

14 FOURTH CAUSE FOR DISCIPLINE

15 (Professional Negligence)

16 16. Respondent is subject to disciplinary action under section 8780(b) of the Code in that
17 respondent committed negligence in the practice of professional land surveying with regards to
18 submitting the Record of Survey for the Carlson survey. Respondent was required to file a
19 Record of Survey within 90 days of completing the field survey. Respondent failed to do so.
20 Respondent was required to resubmit the Record of Survey within 60 days of it being returned to
21 respondent. Respondent let at least six years pass without resubmitting the Record of Survey.

22 **El Granada Project**

23 17. On or about August 21, 2000, Respondent conducted a field survey at the intersection
24 of Palma St. and Valencia St. in an unincorporated area El Granada, San Mateo County CA. On
25 or about August 31, 2000, Respondent completed a Corner Record which was submitted to the
26 San Mateo County Department of Public Works.

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18. On or about March 22, 2001, the Corner Record was returned to Respondent with requests for modifications and clarifications. As of October 2007, Respondent failed to resubmit the Corner Record.

FIFTH CAUSE FOR DISCIPLINE

(Violation of Professional Land Surveyor Act)

19. Respondent is subject to disciplinary action under sections 8780(d) and 8779.2 of the Code in that Respondent failed to resubmit the Corner Record within 60 days of the requested revisions by the San Mateo County Department of Public Works. On March 22, 2001, the Corner Record was returned to Respondent with several recommended revisions and clarifications. As of October 2007, respondent had failed to file a revised Corner Record.

SIXTH CAUSE FOR DISCIPLINE

(Professional Negligence)

20. Respondent is subject to disciplinary action under section 8780(b) of the Code in that respondent committed negligence in the practice of professional land surveying with regards to filing and resubmitting the Corner Record for the El Granada survey. The circumstances are described in paragraphs 17-19, above.

Humbolt Rd. Projects

21. On or about May 21, 2005, Respondent contracted with Stan Cossette (Cossette) and Peter Davis (Davis) to perform a boundary survey between Cossette's property (Cossette property) and Davis' property (Davis Property). Both properties are located off Humbolt Rd. in Brisbane CA.

22. The May 21, 2005 contract between Respondent, Cossette, and Davis stated that the time to complete the boundary survey is approximately 3 weeks, with the Record of Survey Map following a month or so thereafter. The contract failed to contain a provision setting forth a procedure to terminate the contract.

23. By October 26, 2005, Respondent had still failed to complete a Record of Survey.

24. On or about February 12, 2007, Respondent sent a proposal to Cossette for additional surveying services related to the Cossette property and the Davis property. The proposal called

1 for Respondent to provide legal descriptions and exhibit maps for the Cossette property and the
2 Davis Property. The proposal also called for a complete topographic survey and map of the
3 Cossette property. The proposal was accepted by Cossette and Davis with the condition that the
4 legal descriptions and exhibit maps be completed by March 30, 2007 and the topographic map be
5 completed by April 30, 2007. Respondent failed to complete the legal descriptions and maps
6 within the required time frame.

7 SEVENTH CAUSE FOR DISCIPLINE

8 (Violation of Professional Land Surveyor Act)

9 25. Respondent is subject to disciplinary action under sections 8780(d) and 8759(a)(5) of
10 the Code in that the contract between Respondent, Cossette, and Davis failed to contain a
11 provision setting forth a procedure to terminate the contract.

12 EIGHTH CAUSE FOR DISCIPLINE

13 (Breach of Contract)

14 26. Respondent is subject to disciplinary action under sections 8780(g) of the Code in
15 that Respondent breached both the May 2005 contract and the February 2007 contract
16 Respondent had with Cossette, and Davis. Respondent breached the contracts by failing to
17 complete with work he contracted for within the timelines required by the contracts.

18 NINTH CAUSE FOR DISCIPLINE

19 (Professional Negligence)

20 27. Respondent is subject to disciplinary action under section 8780(b) of the Code in that
21 respondent committed negligence in the practice of professional land surveying with regards to
22 Respondent's work with Cossette and Davis. The circumstances are described in paragraphs 21-
23 26, above.

24 **Cromwell Place Project**

25 28. On or about October 28, 2004, a monument with Respondents license number was
26 found at a property located at 3133 Cromwell Place, Hayward, CA. The monument marked a
27 property boundary. A Record of Survey or Corner Record was required to be filed. Despite
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1 setting the monument, respondent failed to file a Corner Record or Record of Survey within
2 ninety days of setting the monument.

3 TENTH CAUSE FOR DISCIPLINE

4 (Violation of Professional Land Surveyor Act)

5 29. Respondent is subject to disciplinary action under sections 8780(d) and 8762(c) of the
6 Code in that Respondent failed to file a required Record of Survey or Corner Record within 90
7 days of setting a property monument at 3133 Cromwell Place, Hayward, CA.

8 ELEVENTH CAUSE FOR DISCIPLINE

9 (Professional Negligence)

10 30. Respondent is subject to disciplinary action under section 8780(b) of the Code in that
11 respondent committed negligence in the practice of professional land surveying by failing to file a
12 Record of Survey or Corner Record within at least 3 years of setting a property monument at
13 3133 Cromwell Place, Hayward, CA.

14 **Madison Ave. Project**

15 31. In or about March 2004 Respondent conducted a boundary survey for a parcel of land
16 located at 17764 Madison Ave., Castro Valley, CA. Respondent set monuments at various corners
17 of the property and prepared a Record of Survey. As of April 2009, Respondent failed to file the
18 survey with the Alameda County Surveyor's office.

19 TWELFTH CAUSE FOR DISCIPLINE

20 (Violation of Professional Land Surveyor Act)

21 32. Respondent is subject to disciplinary action under sections 8780(d) and 8762(c) of the
22 Code in that Respondent failed to file a Record of Survey within 90 days of setting property
23 monuments at 17764 Madison Ave., Castro Valley, CA..

24 THIRTEENTH CAUSE FOR DISCIPLINE

25 (Professional Negligence)

26 33. Respondent is subject to disciplinary action under section 8780(b) of the Code in that
27 respondent committed negligence in the practice of professional land surveying by failing to file a
28

1 Record of Survey or Corner Record within at least 5 years of setting a property monuments at
2 17764 Madison Ave., Castro Valley, CA.

3 DISCIPLINE CONSIDERATIONS

4 34. To determine the degree of discipline, if any, to be imposed on Respondent,
5 Complainant alleges that on or about June 20, 2001, in a prior action, the Board for Professional
6 Engineers and Land Surveyors issued Citation Number 5075-L and ordered Respondent to pay a
7 \$250 and cease and deist from violating California Business and Professions Code Section 8767.
8 That Citation is now final and is incorporated by reference as if fully set forth.

9 PRAYER

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Board for Professional Engineers and Land Surveyors issue a
12 decision:

13 1. Revoking or suspending Land Surveyor License Number L 3820, issued to Raymond
14 Bruce Thinggaard.

15 2. Ordering Raymond Bruce Thinggaard to pay the Board for Professional Engineers
16 and Land Surveyors the reasonable costs of the investigation and enforcement of this case,
17 pursuant to Business and Professions Code section 125.3;

18 3. Taking such other and further action as deemed necessary and proper.

19 DATED: 9/25/09

Original Signed

20 DAVID BROWN
21 Executive Officer
22 Board for Professional Engineers and Land Surveyors
23 Department of Consumer Affairs
State of California
Complainant

24 SF2009404477
25 accusation.rtf
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